

Patent
Attorney Docket No.: 041463-5033

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Patent of: Thomas JELTSCH *et al.*)
Patent No. 6,893,055 B2)
Issued: May 17, 2005)
Application No.: 10/611,428)
Filed: July 2, 2003)
For: SNAP CONNECTION FOR)
CONNECTING TWO TUBES ENDS)

Attention: Ms. C. Newman
Decisions and Certificates of Correction Branch
Randolph Building
401 Dulany Street
Alexandria, VA 22314

REQUEST FOR RECONSIDERATION OF A
REQUEST FOR CERTIFICATE OF CORRECTION

In accordance with 37 C.F.R. § 1.322, and in consideration of the letter from the Certificate of Corrections Branch dated January 17, 2006, it is hereby requested that the inventors' names and citizenship be corrected on issued U.S. Patent No. 6,893,055 B2.

On October 4, 2005, a request for the issuance of a Certificate of Correction under 37 C.F.R. § 1.322 in the above-identified patent was filed. Two (2) copies of PTO Certificate of Correction Form PTO/SB/44 identifying errors on the face of the issued patent were enclosed. It was alleged that the errors in the patent occurred through the fault of the Patent Office, as clearly

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Page 2

disclosed by the records of the application which matured into this patent, and thus no fee was required.

Applicants can show that on February 11, 2004, Patentees filed a Supplemental Declaration in U.S. Application No. 10/611,428 to correct the names and citizenship of the inventors, which were inaccurately identified in the originally filed Declaration (submitted November 13, 2003). See the attached copies of the Supplemental Declaration and a Supplemental Assignment, with corresponding date-stamped postcards, which were filed on February 11, 2004. It appears from the public PAIR image file wrapper system that the Supplemental Declaration was not scanned or recorded by the United States Patent and Trademark Office (PTO) docket clerk - a fact that Applicants have just learned. However, the Supplemental Assignment was recorded because Applicants received a Notice of Recordation of Assignment from the USPTO dated August 10, 2004 (copy enclosed). Applicants respectfully submit that the resulting errors were the result of the PTO's failure to record the attached filings. Applicants further request that these filings be entered into the record.

In accordance with 37 C.F.R. § 1.67(a) and M.P.E.P. § 603, Patentees respectfully assert that a later filed Supplemental Declaration supplants the information of the originally filed Declaration, and thus the Patent Office would have used the Supplemental Declaration if it had not misplaced it to generate the title page information for the granted patent.

37 C.F.R. § 1.67(a) states that "(a) The Office may require, or inventors and applicants may submit, a supplemental oath or declaration meeting the requirements of § 1.63 or § 1.162 to correct any deficiencies or inaccuracies present in the earlier filed oath or declaration."

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Applicants respectfully submit that the Supplemental Declaration filed on February 11, 2004 met all requirements of 37 C.F.R. § 1.63 and corrected the above-mentioned inaccuracies recorded in the November 13, 2003 Declaration. Thus, the Certificate of Correction should have been granted.

Therefore, Applicants respectfully request careful reconsideration of our Request for a Certificate of Correction, and immediate issuance of same. If there are any other fees due in connection with the filing of this request, please charge the fees to our Deposit Account No. 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: January 31, 2006

By:



Mary Jane Boswell

Reg. No. 33,652

CUSTOMER NO. 009629
MORGAN, LEWIS & BOCKIUS LLP
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
Tel: 202-739-3000
Fax: 202-739-3100

PLEASE STAMP AND RETURN TO SHOW RECEIPT OF:In Re Patent of: Thomas JELTSCH *et al.*

Patent No. 6,893,055 B2

Issued: May 17, 2005

Application No.: 10/611,428

Filed: July 2, 2003

For: SNAP CONNECTION FOR
CONNECTING TWO TUBES ENDS

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) Attention: Ms. C. Newman
)
) Decisions and Certificates of Correction Branch
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1. Request for Reconsideration of a Request for Certificate of Correction
2. Copies of Submission of Supplemental Declaration and date-stamped post card dated February 11, 2004.
3. Copies of Submission of Supplemental Assignment and date-stamped post card dated February 11, 2004.
4. Notice of Recordation of Assignment dated August 10, 2004.

Dated: January 31, 2006
Attorney Docket No.: 041463-5033
DEC

DOCKETED
By PA Date 1/31/06

Morgan, Lewis & Bockius LLP
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
Tel. 202.739.3000
Fax: 202.739.3001

Morgan Lewis
COUNSELORS AT LAW

FAX MESSAGE**Send To:**

Name: Ms. Cecelia Newman
Decisions and Certificates of
Corrections Branch

FAX Number: 571-270-9824

Firm: United States Patent and Trademark
Office

Telephone Number:

From:

Name David E. Connor

Floor:

Operator Sending:

Telephone Number: 202-739-5187

Time Sent:

Date Sent: August 21, 2006

Number of Pages (INCLUDING COVER PAGE):

16

Note:


THE INFORMATION CONTAINED IN THIS FAX MESSAGE IS INTENDED ONLY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE RECIPIENT(S) NAMED ABOVE. THIS MESSAGE MAY BE AN ATTORNEY-CLIENT COMMUNICATION AND AS SUCH IS PRIVILEGED AND CONFIDENTIAL. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR AN AGENT RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT YOU HAVE RECEIVED THIS DOCUMENT IN ERROR AND THAT ANY REVIEW, DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE, AND RETURN THE ORIGINAL MESSAGE TO US BY MAIL. THANK YOU.

Comments: Application No.: 10/611,428
USPN 6,893,055 B2
Our Reference: 041463-5033

Ms. Newman:

Per our telephone conversation today, attached are copies of the papers filed in the above-identified patent on January 31, 2006. Thank you for your assistance in this matter.

Sincerely,



David E. Connor

PATENT
ATTORNEY DOCKET NO.: 041463-5033

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Thomas JELTSCH, et al.

Application No.: 10/611,424

Filed: July 2, 2003

For: SNAP CONNECTION FOR CONNECTING
TWO TUBES ENDS

Group Art Unit: 3676

Examiner: To Be Assigned

Commissioner for Patents
Arlington, VA 22202

Sir:

SUBMISSION OF SUPPLEMENTAL DECLARATION

Applicants hereby submit a Supplemental Declaration to correct the names and citizenship of first and second and third inventors which were differently identified in the originally filed Declaration. Acceptance of this Supplemental Declaration is respectfully requested.

Applicants believe that no fees are due in connection with the filing of this paper. However, if any fees are due, please charge such fees to our Deposit Account No. 50-0310.

DATE: February 11, 2004

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

By: 

Robert J. Goodell
Reg. No. 41,040

Customer No. 09629
MORGAN, LEWIS & BOCKIUS LLP
1111 Pennsylvania Avenue, NW
Washington, DC 20004
202.739.3000 Phone
202.739.3001 Facsimile
877.432.9652 E-Facsimile

02 2-2-06

SUPPLEMENTAL COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

ATTORNEY DOCKET NO.: 041463-5033

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

SNAP CONNECTION FOR CONNECTING TWO TUBES ENDS

The specification of which:

is attached hereto; or

was filed as United States application Serial No. 10/611,428 on July 2, 2003 and was amended on July 2, 2003 (if applicable); orwas filed as PCT international application Number _____ on _____ and was amended under PCT Article 19
On _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office information which is material to the patentability of claims presented in this application in accordance with Title 37, Code of Federal Regulations Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate or Section 365(a) of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign applications(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

PRIOR FOREIGN APPLICATION(S):

COUNTRY (if PCT, indicate PCT)	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED
Switzerland	20021168/02	3, July 2002	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No

Supplemental Combined Declaration for Patent Application and Power of Attorney - (Continued) (includes Reference to PCT International Applications) ATTORNEY DOCKET NO.: 041463-5033					
I hereby claim the benefits under Title 35, United States Code Section 119(c) of any United States provisional application(s) listed below.					
U.S. PROVISIONAL APPLICATIONS					
U.S. PROVISIONAL APPLICATION NO.			U.S. FILING DATE:		
I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) or Section 365(c) of any PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to the patentability of claims presented in this application in accordance with Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:					
PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT:					
U.S. OR PCT INTERNATIONAL APPLICATIONS		STATUS (Check One)			
APPLICATION NO.	FILING DATE	PATENTED	PENDING	ABANDONED	
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
POWER OF ATTORNEY: As a named inventor, I hereby appoint the registered practitioners of Morgan, Lewis & Bockius LLP included in the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and direct that all correspondence be addressed to that Customer Number.					
Customer Number: 09629					
Direct Telephone Calls To:					
202-739-3000					

Combined Declaration for Patent Application and Power of Attorney - (Continued) (includes Reference to PCT International Applications) ATTORNEY DOCKET NO.: 041463-5033		
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.		
FULL NAME OF SOLE OR FIRST INVENTOR	JELTSCH, Thomas	
RESIDENCE & CITIZENSHIP	Domat/Ems, Switzerland	COUNTRY OF CITIZENSHIP Germany
POST OFFICE ADDRESS	Barnaas 17 CH-7013 Domat/Ems, Switzerland	
FIRST OR SOLE INVENTOR'S SIGNATURE <i>Jeltsch, Thomas</i>		DATE 12/19/2003
FULL NAME OF SECOND INVENTOR	WILLI, Mario	
RESIDENCE & CITIZENSHIP	Domat/Ems, Switzerland	COUNTRY OF CITIZENSHIP Switzerland
POST OFFICE ADDRESS	Gassa surò 25 CH-7013 Domat/Ems, Switzerland	
SECOND INVENTOR'S SIGNATURE <i>Willi Mario</i>		DATE 12/19/2003
FULL NAME OF THIRD INVENTOR	KETTL, Ralph	
RESIDENCE & CITIZENSHIP	Bonaduz, Switzerland	COUNTRY OF CITIZENSHIP Germany
POST OFFICE ADDRESS	Versamerstrasse 7 CH-7402 Bonaduz, Switzerland	
THIRD INVENTOR'S SIGNATURE <i>Kettl Ralph</i>		DATE 12/19/2003

Listing of Inventors Continued on attached page(s): ☐ Yes ☒ No

PLEASE STAMP AND RETURN TO SHOW RECEIPT OF:

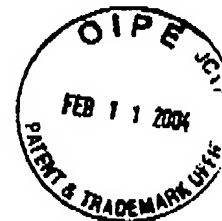
U.S. Patent Application of: Thomas JELTSCH, et al.

Application No.: 10/611,428 Group Art: 3676
Filed: July 2, 2003

For: SNAP CONNECTION FOR CONNECTING TWO TUBES ENDS

1. Recordation Cover Sheet
2. Supplemental Assignment

Dated: February 11, 2004
Attorney Docket No.: 041463-5033
RG2/djs



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DOCKETED

FORM PTO-1595
(Rev. 6-93)U.S. DEPARTMENT OF COMMERCE
Patent and Trademark OfficeRECORDATION FORM COVER SHEET
PATENTS ONLY

Attorney Docket No.: 041463-5033

To the Commissioner for Patents:
Please record the attached original documents or copy thereof.

ATTN: MAIL STOP ASSIGNMENT

1. Name of conveying party(ies):

Thomas JELTSCH
Mario WILLI
Ralph KETTL

2. Name and address of receiving party(ies):

Name: Ems-Chemie AG

Internal Address:

Street Address: Reichenauerstrasse, CH-7013
Domat/Ems, Switzerland

City:

State:

Zip:

Additional name(s) & address(es) attached?

Yes ☒ No

Additional name(s) of conveying party(ies) attached?

Yes ☐ No ☒

3. Nature of conveyance:

☒ Assignment☐ Merger

Security Agreement

☐ Change of Name

Other _____

Execution Date: December 19, 2003

4. Application number(s) or patent number(s): 10/611,428

If this document is being filed together with a new application the execution date of the application is:

A. Patent Application No.(s):

B. Patent No.(s)

Additional numbers attached: Yes ☐ No ☒

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Robert J. Gaybrick

Internal Address: Morgan, Lewis & Bockius LLP

Street Address: 1111 Pennsylvania Avenue, NW
City: Washington State: D.C. Zip: 20004

6. Total number of applications and patents involved: 1

7. Total fee (37 C.F.R. §3.41): \$40.00

Enclosed

☒ Authorized to be charged to deposit account 50-0310

8. Deposit account number: 50-0310

Attach duplicate of page if paying by deposit account

9. Statement and Signature

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Robert J. Goodell-Reg. No. 41,040
Name of Person Signing
SignatureFebruary 11, 2004
Date

Total number of pages including cover sheet, attachments and documents: 3

02 GOF US

ATTORNEY DOCKET NO.: 041463-5033
 SOLE/JOINT INVENTION
 (U.S. Rights Only)

ASSIGNMENT

WHEREAS I/We, the below named inventor(s), [hereinafter referred to as Assignor(s)], have made an invention entitled:

SNAP CONNECTION FOR CONNECTING TWO TUBES ENDS

for which I/WE executed an application for United States Letters Patent concurrently herewith; or filed an application for United States Letters Patent on July 2, 2003, (Serial No. 10/611,428); and

WHEREAS, Ems-Chemie AG, a corporation of Switzerland, whose post office address is Reichenauerstrasse, CH-7013 Domat/Ems, Switzerland, (hereinafter referred to as Assignee), is desirous of securing the entire right, title, and interest in and to this invention, the application for United States Letters Patent on this invention and the Letters Patent to issue upon this application;

NOW THEREFORE, be it known that, for good and valuable consideration the receipt of which from assignee is hereby acknowledged, I/WE, as assignor(s), have sold, assigned, transferred, and set over, and do hereby sell, assign, transfer, and set over unto the assignee, its lawful successors and assigns, MY/OUR entire right, title, and interest in and to this invention and this application, and all divisions, and continuations thereof, and all Letters Patent of the United States which may be granted thereon, and all reissues thereof; and I/WE hereby authorize and request the Commissioner of Patents and Trademarks of the United States to issue all Letters Patent for this invention to assignee, its successors and assigns, in accordance with the terms of this Assignment;

AND, I/WE HEREBY further covenant and agree that I/WE will, without further consideration, communicate with assignee, its successors and assigns, any facts known to ME/US respecting this invention and testify in any legal proceeding, sign all lawful papers when called upon to do so, execute and deliver all papers that may be necessary or desirable to perfect the title to this invention in said assignee, its successors and assigns, execute all divisional, continuation, and reissue applications, make all rightful oaths and generally do everything possible to aid assignee, its successors and assigns, to obtain and enforce proper patent protection for this invention in the United States, it being understood that any expense incident to the execution of such papers shall be borne by the assignee, its successors and assigns.

AND, I/WE HEREBY authorize and request the attorneys I/WE have empowered in the Declaration and Power of Attorney in this application, to insert here in parenthesis (Application No. 10/611,428, filed July 2, 2003) the filing date and application number of said application when known.

IN TESTIMONY WHEREOF, I/WE have hereunto set our hand(s).

Full Name of Sole or First Assignor JELTSCH, Thomas	Assignor's Signature <i>Thomas Jeltsch</i>	Date <u>12/19/2003</u>
Address Barnaas 17 CH-7013 Domat/Ems, Switzerland		Citizenship Germany
Full Name of Second Assignor WILLI, Mario	Assignor's Signature <i>Mario Willi</i>	Date <u>12/17/2003</u>
Address Gassa surò 25 CH-7013 Domat/Ems, Switzerland		Citizenship Switzerland
Names of additional inventors attached <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		

Full Name of Third Assignor KETTL, Ralph	Assignor's Signature <i>Ralph Kettl</i>	Date 12/19/2003
Address Versamerstrasse 7 CH-7402 Bonaduz, Switzerland		Citizenship Germany
Full Name of Fourth Assignor	Assignor's Signature	Date
Address		Citizenship
Full Name of Fifth Assignor	Assignor's Signature	Date
Address		Citizenship
Full Name of Sixth Assignor	Assignor's Signature	Date
Address		Citizenship
Full Name of Seventh Assignor	Assignor's Signature	Date
Address		Citizenship
Full Name of Eighth Assignor	Assignor's Signature	Date
Address		Citizenship
Full Name of Ninth Assignor	Assignor's Signature	Date
Address		Citizenship
Full Name of Tenth Assignor	Assignor's Signature	Date
Address		Citizenship
Full Name of Eleventh Assignor	Assignor's Signature	Date
Address		Citizenship
Names of additional inventors attached <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

RSG
Tom**UNITED STATES PATENT AND TRADEMARK OFFICE**UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

AUGUST 10, 2004

PTAS



102669257A

MORGAN, LEWIS & BOCKIUS LLP
ROBERT J. GAYBRICK
1111 PENNSYLVANIA AVENUE, NW
WASHINGTON, D.C. 20004**UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT**

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 02/11/2004

REEL/FRAME: 014968/0626
NUMBER OF PAGES: 3BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).
DOCKET NUMBER: 041463-5033ASSIGNOR:
JELTSCH, THOMAS

DOC DATE: 12/19/2003

ASSIGNOR:
WILLI, MARIO

DOC DATE: 12/19/2003

ASSIGNOR:
KETTL, RALPH

DOC DATE: 12/19/2003

ASSIGNEE:
EMS-CHEMIE AG
REICHENAUERSTRASSE
CH-7013 DOMAT/EMS, SWITZERLAND41463-5033
DOCKETED
by PSL Date 8/17/04

AUG 21 2006 4:22 PM FR

TO 13475#414635033# P.16/16

014968/0626 PAGE 2

SERIAL NUMBER: 10611428

FILING DATE: 07/02/2003

PATENT NUMBER:

ISSUE DATE:

TITLE: SNAP CONNECTION FOR CONNECTING TWO TUBE ENDS

SHARON BROOKS, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

PLEASE STAMP AND RETURN TO SHOW RECEIPT OF:

U.S. Patent Application of: Thomas JELTSCH, et al.

Application No.: 10/611,428 Group Art: 3676
Filed: July 2, 2003

For: SNAP CONNECTION FOR CONNECTING TWO TUBES ENDS

1. Submission of Supplemental Declaration
2. Declaration

Dated: February 11, 2004
Attorney Docket No.: 041463-5033
RG2/djs



*2/25
Per email
fr Dr Bob
Mc ALB error
jg*

DOCKETED

By *EB* Date *2-22-04*